

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

BRIAN C. FRANKENFIELD	§	
VS.	§	CIVIL ACTION NO. 9:25-cv-9
PATRICIA GRADY, ET AL.	§	

MEMORANDUM OPINION AND ORDER REGARDING VENUE

Plaintiff Brian C. Frankenfield, an inmate confined within the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Patricia Grady and certain unidentified Defendants. Plaintiff alleges Defendant Grady improperly presided over his criminal case in Galveston County, Texas, and ignored the fact that he was assaulted. He also alleges Defendant Grady and others deprived him of his freedom in order to cover up an insurance scam.

Discussion

The Civil Rights Act, 42 U.S.C. § 1981, *et. seq.*, under which this case is brought, does not contain a specific venue provision. Accordingly, venue in civil rights cases is controlled by 28 U.S.C. § 1391. When, as in this case, jurisdiction is not founded solely on diversity of citizenship, 28 U.S.C. § 1391 provides that venue is proper only in the judicial district where the defendants reside or in which the claim arose.

Plaintiff complains of events which occurred in Galveston County. His claims therefore arose in Galveston County. In addition, Defendants appear to reside in Galveston.

Pursuant to 28 U.S.C. § 124(b)(1), Galveston County is located in the Galveston Division of the Southern District of Texas. As this case does not appear to have any connection with the

Eastern District of Texas, the court is of the opinion this matter should be transferred to the Galveston Division of the Southern District.

ORDER

For the reasons set forth above, it is **ORDERED** that this civil rights action is **TRANSFERRED** to the Galveston Division of the United States District Court for the Southern District of Texas.

SIGNED this the 3rd day of February, 2025.

A handwritten signature in black ink, appearing to read 'C. L. Stetson', is written above a horizontal line.

Christine L Stetson
UNITED STATES MAGISTRATE JUDGE